

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: March 25, 2010
POSITION: Neutral, note concerns

BILL NUMBER: AB 2763
AUTHOR: Assembly Judiciary

BILL SUMMARY: Judgeships

This bill would require the Judicial Council to provide to the Legislature a special assessment of the need for new judgeships in the family law and juvenile law assignments for each superior court. The bill would provide that up to 10 additional subordinate judicial officer (SJO) positions in eligible superior courts may be converted to judgeships in any fiscal year only if the conversions will result in a judge being assigned to a family or juvenile law assignment previously presided over by a SJO.

FISCAL SUMMARY

The Judicial Council notes that the reporting requirement and SJO conversions would be fully absorbable within existing resources. In fact, the Judicial Council reports that it has already begun the judicial needs assessment process.

For a similar bill last year, the Judicial Council estimated the conversion cost to be no more than \$270,000 based on the salary differential between SJOs and judges. Finance notes that this could become increasingly difficult to absorb given the recent General Fund reductions the courts have taken. Finance also notes that judges' compensation is adjusted annually based on a formula that takes into account statewide salary changes. To the extent more judges exist, that cost would increase.

COMMENTS

Finance is neutral on this bill because it recognizes it would help to reduce court backlogs by allowing for the conversion of SJOs to judgeships over several years. However, Finance is concerned about the ability of the courts to absorb and manage the cost increases given recent General Fund reductions.

Existing law allows for the conversion of 162 SJO positions to judgeships at a rate of no more than 16 per year, provided authority is granted by the Legislature either in the annual Budget Act or other legislative measure. These conversions are being accomplished through existing resources. For fiscal year 2009-10, budget bill language allows for the conversion of 16 subordinate judicial officer positions to judgeships, and similar language is proposed in the 2010-11 budget bill.

This bill would allow an additional 10 subordinate judicial officer positions to be converted in any fiscal year, subject to specified requirements. Additionally, the bill would require that the family law and juvenile law judgeships needs assessment be provided to the Legislature by November 30, 2011.

Analyst/Principal (0211)J. Osborn	Date	Assistant Program Budget Manager Zlatko Theodorovic	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Assembly Judiciary

March 25, 2010

AB 2763

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2009-2010	FC	2010-2011	FC	2011-2012	Code
0250/Jud Branch	SO	No	----- No/Minor Fiscal Impact -----						0001